



Atty. Dkt. No. 071949-1314

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenneth F. Buechler

Title: DIAGNOSTIC DEVICES AND
APPARATUS FOR THE
CONTROLLED MOVEMENT OF
REAGENTS WITHOUT
MEMBRANES

Appl. No.: 09/805,653

Filing Date: 03/13/2001

Examiner: Lyle Alexander

Art Unit: 1641

CERTIFICATE OF MAILING
I hereby certify that this correspondence is being deposited
with the United States Postal Service with sufficient
postage as First Class Mail in an envelope addressed to
Commissioner for Patents, PO Box 1450, Alexandria,
Virginia 22313-1450, on the date below.

DIANE GARCIA
(Printed Name)

Diane Garcia
(Signature)

11-04-2003
(Date of Deposit)

RECEIVED

NOV 10 2003

TECH CENTER 1600/2900

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

11/07/2003 SDIRETHI 00000103 09805653

01 FC:1806

180.00 OP

RECEIVED
NOV 17 2003
TC 1700

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.113, or an action that otherwise closes prosecution in the application.

RELEVANCE OF EACH DOCUMENT

All documents are in English.

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

FEE

A fee in connection with submission of an information disclosure statement under 37 CFR §1.97(c) in the amount of \$180.00 in accordance with 37 CFR §1.17(p) is attached.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date 11/4/03

FOLEY & LARDNER

Customer Number: 30542

Telephone: (858) 847-6722

Facsimile: (858) 792-6773

By Barry Wilson

Barry S. Wilson

Attorney for Applicant

Registration No. 39,431

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

Application Number	09/805,653
Filing Date	03/13/2001
First Named Inventor	Kenneth F. Buechler
Group Art Unit	1641
Examiner Name	Lyle Alexander
Attorney Docket Number	071949-1314

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A1	3,966,897		Renn et al.	06-29-1976	
	A2	4,591,570		Chang	05-27-1986	
	A3	4,695,554		O'Connell et al.	09-22-1987	
	A4	4,829,010		Chang	05-09-1989	
	A5	4,859,613		Lawrence	08-22-1989	
	A6	4,911,782		Brown	03-27-1990	
	A7	4,978,503		Shanks et al.	12-18-1990	
	A8	5,155,212		Dubler et al.	10-13-1992	
	A9	5,202,268		Kuhn et al.	04-13-1993	
	A10	5,486,335		Wilding et al.	01-23-1996	
	A11	5,512,659		Ullman et al.	04-30-1996	
	A12	5,766,961		Pawiak et al.	06-16-1998	
	A13	5,922,615		Nowakowski et al.	07-13-1999	
	A14	6,156,270		Buechler	12-05-2000	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A15	EP	0 695 941		Affymetrix, Inc.			
	A16	WO	94/09366		Abbott Laboratories	04-28-1994		
	A17	WO	97/00442		The University of Washington	01-03-1997		
	A18	WO	97/02357		Affymetrix Inc.	01-23-1997		

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
--------------------	-----------------------	--	----------------

Examiner Signature

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, PO Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/F TO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				C mplete if Known	
Application Number				09/805,653	
Filing Date				03/13/2001	
First Named Inventor				Kenneth F. Buechler	
Group Art Unit				1641	
Examiner Name				Lyle Alexander	
Attorney Docket Number				071949-1314	

[illegible]

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, PO Box 1450, Alexandria, Virginia 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.